IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO.1302 OF 2006

Shri Anil Bhagwandas Jaishinghani : Petitioner

V/s.

The State of Maharashtra & Anr. : Respondents

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Mr.Shirish Gupte, amicus curiae.

Mr.D. Deshmukh for the petitioner.

Mrs.A.S.Pai, Addl. Public Prosecutor for the State.

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CORAM : D.G.DESHPANDE & S.A.BOBDE,JJ.

DATE : JULY 20, 2006.

P.C.

1. Heard Mr.Shirish Gupte whom we had asked to assist us in this case as amicus curiae, looking to the facts of this case, though the petitioner has his regular Advocate. We have also heard the regular Advocate for the petitioner.

2. The main grievance of the petitioner is that before withdrawing the police protection, no hearing was given to him. The learned Addl. Public Prosecutor for the State agrees that if the petitioner approaches the Director General of Police, Maharashtra State, Mumbai, on 25.7.2006

between 11.00 a.m. and 2.00 p.m., he will hear the petitioner regarding his grievance and why he requires the protection. The hearing is personal hearing to the petitioner and lawyer is not permitted. The Director General of Police to decide whether to continue to give protection to the petitioner within one week thereof. Till then i.e. till 1.8.2006, the protection that is now being provided to the petitioner will be continued at the cost of the petitioner.

3. The petition is disposed of.

4. This order is passed only in the peculiar facts and circumstances of this case.

D.G. DESHPANDE, J.

S.A. BOBDE, J.